



VOSH PROGRAM DIRECTIVE: 02-403A

ISSUED: January 15, 1992

SUBJECT: Compliance Dates for the Lead Standard with Clarification of the Implementation Schedule, 1910.1025

A. Purpose.

This Directive transmits OSHA Instruction CPL 2-2.47 and revises Appendix B by providing the new implementation schedule of the engineering control requirement under 1910.1025(e)(1).

B. Scope.

This Directive applies to all VOSH personnel, and specifically to Occupational Health Enforcement and Voluntary Compliance and Training personnel.

C. References.

CHANGE I: OSHA Instruction CPL 2-2.47 (January 5, 1989).
CHANGE II: OSHA Technical Bulletin (September 15, 1991).
CHANGE III: OSHA Technical Bulletin (October 7, 1991).

D. Cancellation.

Vosh Program Directive 02-403 (May 5, 1989).

E. Action.

The Assistant Commissioner, Directors and Supervisors shall assure that VOSH personnel comply with the policies and procedures contained in this directive.

F. Effective Date.

January 15, 1992

G. Expiration Date.

Not Applicable.

H. Background.

Change I: See attached OSHA Instruction 2-2.47.

Change II: "On July 19, 1991, the U.S. Court of Appeals for the D.C. Circuit lifted its stay of the engineering control requirement of 29 CFR 1910.1025 for all industries **except brass and bronze ingot manufacturing**. This includes five of the six industries for which OSHA's findings of feasibility were contested by the respective industries. The six industries which disputed OSHA's feasibility findings are: non-ferrous foundries, leaded steel, lead chemicals, secondary copper smelting, independent battery breakers, and brass and bronze ingot manufacturing. **The engineering control requirement is still stayed for brass and bronze ingot manufacturing.**" (OSHA Technical Bulletin, 9/5/91) (emphasis added)

"Non-ferrous foundries, lead chemical manufacturing, and secondary copper smelters have until July 19, 1996 to comply with the PEL through engineering and work practice controls. Small non-ferrous foundries will then be required to comply with a limit of 75 ugms/m³ through engineering and work practice controls and to use any combination of respiratory protection, engineering, and administrative controls after that date to achieve compliance with the PEL." (Id.)

"Until the date required to achieve compliance with the PEL (or for small non-ferrous foundries-75 ugms/m³) through engineering and work practice controls, the referenced industries must comply through engineering and work practice controls with the 200 ugms/m³ limit and may use any combination of engineering, work practice, and respiratory controls to achieve compliance with the 50 ugms/m³ PEL." (Id.)

Change III: (See background for Change II)

I. Summary.

Change I: Not Applicable.

Change II: The engineering control requirement of 1910.1025 was lifted for all industries except brass and bronze ingot manufacturing. With the exception of non-ferrous foundries, lead chemical manufacturing, and secondary copper smelters, the industries have until January 19, 1994 to comply with 50 ugms/m³ through engineering and work practice controls.

Change III: A revised implementation schedule concerning the engineering control requirement of 1910.1025 was issued to correct the implementation date for "all other industries" listed in the Technical

Bulletin issued on September 5, 1991.

Carol Amato
Commissioner

Attachments:

Change I: OSHA Instruction CPL 2-2.47 (Jan 5, 1989)

[http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIR
ECTIVES&p_id=1561&p_text_version=FALSE](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIR
ECTIVES&p_id=1561&p_text_version=FALSE)

Change II: OSHA Technical Bulletin(Sep 5,1991) *(available as hard copy only)*

Change III: OSHA Technical Bulletin(Oct 7,1991) *(available as hard copy only)*

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